

REMARKS

Claims 3 and 5-7 have been rejected under 35 USC 102(e) as anticipated by Dunn, and claims 4 and 8 have been rejected under 35 USC 103(a) as unpatentable over Dunn in view of Casey. The rejections are respectfully traversed.

The invention requires, as amended, that no subsequent negotiation of quality of service parameters occurs (i.e. after the initial negotiation takes place). Although Applicant's disagree with the Examiner's interpretation that Dunn discloses negotiation before the setup of a connection, the claims are hereby amended for additional clarification. In Dunn, on the other hand, there is negotiation of parameters after the connection setup occurs. Referring to Fig. 3A and the corresponding disclosure, the invention enables a user to alter in real time his AIN profile to select the path for transmitting voice or data to a subscriber 37 coupled to the networks 20 and 24. Moreover, in those instances where the local operating companies allow data networks to carry voice and voice networks to carry data, the end user application made available by the server 44 enables the user in real time to select the serving network from menus presented to the user by the client server interface. The menus are displayed at the computer terminal 38 and define the authorized services and transmission paths as negotiated by the user with the local telephone company or service provider. The menus can be changed by the user as his voice and data needs change. Thus, the client server interface 44 enables a user to select and direct the incoming/outputting traffic and routes voice or data to the network 20 via the switch 12 or the data network 24 via server 32 (col. 4, lines 29-53).

Since the recited structure and method are not disclosed by the applied prior art, either alone or in combination, claims 5 and 6 are patentable. Claims 3 and 7, depending from claims 5 and 6 respectively, are similarly patentable.

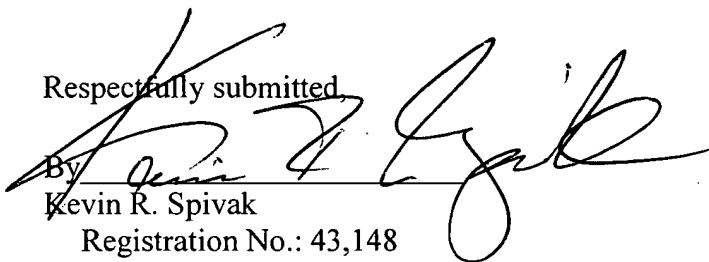
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122017400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,


By _____

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